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Tunisia

Food and Agricultural Import Regulations and Standards

FAIRS Update

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Report Highlights:

All sections of the FAIRS country report have been updated to add some regulatory aspects having been overlooked in the initial version and to reflect new developments with regard to food regulations in Tunisia.

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Disclaimer

"This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Tunis, Tunisia for US exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that US exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY"

Section I: Food laws

Tunisian food legislation is mainly reflected in four major laws:

1. Law # 92-72 dated August 6, 1992 on plant protection which sets out quarantine and phytosanitary requirements applying to unprocessed agricultural products of plant origin including seeds
2. Law # 99-24 dated March 9, 1999 on sanitary control of live animals and animal-origin food products
3. Law # 92-117 dated December 7, 1992 on consumer protection: This law, meant for general public health and fraud prevention, has a very broad scope encompassing virtually all consumer goods including food items.
4. Law # 94-41 on foreign trade, which was primarily enacted to abolish the import-licensing regime to ensure compliance with WTO trade rules. Chapter II of this law provides for technical controls for several lists of imported goods including food items

The above listed laws along with others laws having indirect implications with regard to food legislation are implemented through a set of food regulations referred to as decrees (executive orders signed by the President of the Republic of Tunisia) or 'Arrêtés' (departmental orders signed by a minister or jointly by several ministers).

Section II – Labeling Requirements

Departmental Order dated July 22, 1985 validating Tunisian standard NT 15-23 (1983) lays out labeling requirements regarding the so-called pre-packaged foodstuffs: i.e. consumer-ready food items. It does not apply to bulk and intermediate foods products intended to be further processed.

II-A General Requirements

Arabic shall be one of the languages to be used for product labeling. The measuring system in use in Tunisia is the international metric system and uses Arabic numerals as in western countries. In general, labels on pre-packaged foods shall be applied in such manner that they will not become separated from the container and should avoid any misleading or confusing indications.

Instructions for use shall be included on the label in case their omission will lead to improper handling by the consumer. The indication 'not for human consumption' shall be clearly visible on products intended for feed use.

The following particulars are mandatory on the labeling:

- The name of the food
- Net content: to be indicated using the international metric system in units of volume in the case of liquids, units of mass in the case of other products. Food items packed in a liquid medium shall carry an indication of the net drained weight.
- Full list of ingredients in descending order of predominance. If pork meat is one of the ingredients it should be conspicuously labeled
- Country of origin
- Name and address of the manufacturer, packager, importer, and/or distributor
- Time limit for use or time limit for optimum use: for perishable food products the shelf life indication must bear the following indication: date limit for use dd/mm/yy. For goods having a shelf life of 3 months or more the mention of the month and the year is sufficient. For non-perishable goods a time limit for optimum use must be indicated using one of the following wordings: to be consumed preferably before.../ to be consumed preferably before end of.../ to be consumed preferably within a period of...
- Date of production (dd/mm/yy)
- Lot identification: the production lot number must be indicated with the exception of preserved or semi-preserved fruits, vegetables, and seafood products
- Storage instructions: indications such as 'keep in a cool place, protect from light or from dampness' must be indicated when necessary.

II-B. Requirements Specific to Nutritional Labeling

According to Departmental Order dated July 22, 1985 validating Tunisian standard NT 15-23 (1983) nutritional labeling of vitamins, minerals and other nutrients is mandatory when a producer is making health or dietary claims on the label. This provision applies to fortified products and to food items intended for particular use (e.g. infant formula). Otherwise, nutrition information is voluntary.

References to curative or preventive attributes with regard to human or animal diseases are prohibited.

Section III – Packaging And Container Requirements

Contact materials, i.e. packaging materials intended to come into contact with foodstuffs, must meet Tunisian standards and bear a food grade international logo (Decree # 2003-1718 of August, 2003). This requirement entails either clearly stating on the container a short message such as "material fit for food contact" or featuring the following logo.



SECTION IV - Food Additives Regulations

Departmental Order dated January 28, 1986 relating to the validation of Tunisian standard NT 117-01 governs food additives. The purpose of this Order is to give an exhaustive listing of authorized additives (positive list), their conditions of use as well as their respective identification numbers. The same Order also stipulates that:

- Additives for each category of foods must not exceed maximum doses and must meet specific conditions of use as indicated in Annex I to the above-mentioned standard.
- Substances to be used for additives dilution are indicated in Annex II
- Used additives must be referred to by their identification numbers. Such numbers are to be found in Annex III.

Colorants must meet specific criteria of purity: mineral, organic and other specific impurities are subject to the following requirements:

- Mineral impurities: must not contain over 5 mg/Kg of arsenic, 20 mg/kg of lead and 100 mg/kg of copper, zinc, chromium and barium sulphate.
- Organic impurities: must contain no benzidine, xenylamine or their by-products
- Specific criteria of purity: colorant substances must contain no specific aromatic hydrocarbons.

SECTION V – Pesticides and Other Contaminants

Maximum pesticide residues tolerated in food items are set in Tunisian standard NT 117-03 enacted in 1983 and technically equivalent to the Codex Alimentarius Standard #100-1981 (Codex CAC/RS 100-1978). Tunisian regulations allow the government to set its own maximum residue level (MRL), which could be different of the Codex one, and monitor compliance, in case a particular threat to the consumer's health is identified. However, as a WTO member, Tunisia has to abide by the SPS and TBT agreements when setting its own standards.

In addition to pesticides, Tunisia also sets admissible maximum limits for contaminants and other contaminants in foods intended for human consumption, such as metals, metalloids, aflatoxines (B1, B2, G1, G2, M1, M2, ochratoxine and histamine). Maximum limits are laid out in Tunisian standard NT 117-02.

SECTION VI: Other Regulations and Requirements

Technical controls

Under decree # 94-1744 of 29 August 1994, three lists of imported goods, which were recently amended by a Commerce Departmental Order dated on Jan 7, 2004, are subject to technical controls according to three distinct modalities:

1. List A featuring all goods submitted to a systematic control i.e. a conformity assessment with or without sampling for further laboratory testing to be undertaken at each shipment regardless of whether the product has or has not been already tested in the past. This list includes virtually all processed agricultural products,
2. List B includes products submitted to the so-called certification regime whereby customs clearance is granted for goods accompanied by a certificate issued by the country of origin and stating that those goods are in compliance with international standards. Agricultural products are not among products subject to the certification regime.
3. List C featuring products submitted to a conformity assessment with the conditions defined by a GOT-sanctioned specifications book (Cahier des charges). Agricultural products submitted to 'cahier des charges' are, in their majority, bulk and intermediate agricultural products. Conditions set out in 'cahier des charges' very often go beyond sanitary and phytosanitary aspects and set out conditions about the importer's eligibility in terms of storage capacity, funding availability, production data disclosure, etc.

Dioxin and Radio-contamination

A certificate indicating the amount of dioxin residue is required for all imports of bulk and processed food items. A certificate of non-contamination from radioactivity issued at the country of origin or failing that delivered in Tunisia by the National Center for Radioprotection after testing, is also required.

Biotech-derived products

Currently, the Tunisian food legislation does not provide for GMO labeling. A bill of law dealing with biotech products has been drafted and is still awaiting discussion and approval by the Parliament.

Environmental labeling

Tunisia has an environmental labeling requirement that applies for pre-packaged food items. So far this requirement is only enforced for bottled water and soft drinks. Decree # 97-1102 dated on June 2, 1997 mandates for a national system managed by the ANPE, the National Agency for Environmental Protection, to collect and recycle used packaging. The manufacturer or the importer has three options to comply with this regulation:

- Tacking back and recycling the used packaging
- Entrusting the implementation of this obligation to an approved companies on a contractual basis
- Enrolling in the state-owned recycling system, which gives the right to print the Eco-lef logo (see picture below) on the product's label.

**Section VII - Other Specific Standards****A. MILK PRODUCTS**

Milk products are governed by Law #.64-49 dated 12/24/64, relating to milk production, processing and marketing. The applicable standards are listed below:

- TS 14-01 Milk definition
- TS 14-02 Raw and natural milk
- TS 14-28 Determination of milk density
- TS 14-32 Determination of milk fat content

- TS 14-33 Determination of milk total nitrogen content
- TS 16-14 Food microbiology - Counting of micro-organisms
- TS 16-39 Micro-biological specifications, interpretation of analysis results

Most of the milk being processed or imported into Tunisia is essentially semi-skimmed, UHT (Ultra High Temperature), thus permitting dairy plants to recover fats for butter production.

A-1. Dry milk

Import of dry or powdered milk, which is subject to a quotas allocation system run by the Ministries of Agriculture and Commerce, shall be undertaken according to specifications set in the so-called 'Cahier des Charges'.

A-2. Milk concentrate

Milk concentrate is imported or manufactured locally under licensing, with or without sugar. Technical and health control is performed at the time of import by the proper veterinary and economic control divisions (anti-fraud control). Analyses are performed at the National Nutrition Institute.

B. Animal Feeds

Feed production and marketing is governed by the ministers of Agriculture, Public Health and Commerce Order dated 07/29/99. To import ingredients for compound feed production, importers are required to maintain a register showing:

- Name and quantities of imported ingredients
- Name and address of supplier
- Date of production of ingredients
- Name and address of buyer
- Quantities and numbers of lots of ingredients sold or in stock
- Analysis certificates giving contents of noxious elements

In addition, the same decree defines:

- Marketing and labeling regulations
- And animal feeds quality controls

C. Feed Additives

The list and conditions of production and marketing of additives used as feed constituents are set by the Ministers of Public Health, Agriculture and Commerce Order dated 01/04/96.

Additives that may be included in compound feeds are:

- Antibiotics
- Substances with anti-oxygen effects
- Coccidiostatics and medicinal substances
- Colorants, including pigments
- Emulsifying, stabilizing, thickening and jellying matters
- Vitamins and provitamins
- Oligo-elements
- Conservation agents
- Binding, coagulating and anti-lumping agents
- Growth factors
- Aromatic substances
- Acid regulators

D. Live Animals

Import of live animals into Tunisia is subject to a set of specifications (cahier des charges) set jointly by the sanitary and the zoo-technical divisions within the Tunisian Ministry of Agriculture. Model health certificates have already been agreed upon with some cattle exporters such as France and Canada. Establishing model health certificates, including one with the U.S. has still to be done. Specifications regarding BSE have been recently altered to allow cattle imports even from countries having declared cases of BSE provided that those countries have enacted mitigation measures including the existence of an adequate surveillance program.

E. Animal Semen

Import shall be made according to set of specifications (established similarly to those governing the cattle trade) and in compliance with the provisions of the law relating to BSE and other regulations applicable to diseases legally described as infectious.

F. Meat

Imports of bovine and sheep meat are governed by a set of specifications (cahier des charges). Bovine meat must come from a BSE-free country or from a country having a national mechanism to mitigate the BSE-related risks. Slaughtering according to the Halal ritual is mandatory. Meat from hormone-fed animals cannot be allowed into the country.

G. Plant Products

Seeds and seedlings imports must comply with Decree # 2002-621 dated March 19th, 2002. This decree sets rules to import all seeds and seedlings. Apart from the phytosanitary aspects, the main provisions of this decree are the obligation for the

importer to apply for a license, to have a minimum storage capacity and to keep records for its inventories. Seeds and seedlings covered by this decree are: potato, citrus, strawberry, pulses, horticultural seeds, forages, cereals and vines.

Section VIII: Copyright And/Or Trademark Laws

Tunisia has a copyright law (law # 94-36 dated February, 1994). This law established the OTPDA (Organisme Tunisien de Protection des Droits d'Auteur), the Tunisian institution for the protection of copyright, and mandates it to investigate and punish copyright violations.

Trademarks and brand names are protected providing they are registered with the INNORPI (Institut National de la Normalisation et de la Propriete Industrielle), the National Institute for Standardization and Industrial Property. A trademark registration is valid for 10 years and can be renewed indefinitely. Registration with INNORPI is necessary to gain protection under the Tunisian law.

Tunisia is a member of WIPO (World Intellectual Property Organization) and has signed most WIPO conventions.

Section IX – Import Procedures

In addition to phytosanitary and sanitary certificates, the majority of consumer-oriented food products are subject to a technical quality control prior to customs clearance mandated by decree # 94-1744 dated August 1994. Importers must apply for a document called Autorisation de Mise a la Consommation (AMC). In order to expedite customs clearance, the importer is entitled to a temporary document called Autorisation Provisoire d'Enlevement (APE), pending dossier instruction but must refrain from distributing or further processing the imported good until the AMC is delivered by the Ministry of Commerce, Directorate of Quality and Consumer Protection. In order to clear customs, an application form has to be submitted along with the following documents:

- 1) Import certificate (an import permit issued by the Ministry of Commerce)
- 2) Commercial invoice
- 3) Certificate of origin
- 4) Packing list
- 5) Bill of lading
- 6) Technical notice describing the product
- 7) Other document (s) at the discretion of the Authorities

In addition to the above-mentioned documents specific certificates are required for dioxin residues and for radioactivity contamination.

It is worth noting that in order to clear customs pre-packaged food items shall have at least 50 percent remaining of their shelf life period to be admitted into the country.

Appendix I: Government Regulatory Agency Contacts

Directorate General for Veterinary services (DGSV)

Ministry of Agriculture, Environment and Hydraulic Resources

30, rue Alain Savary, 1002, Tunis, Tunisia

Phone: 216 71 786 833

E-mail: : mag@ministeres.tn

Directorate General for Agricultural Production (DGPA)

Ministry of Agriculture, Environment and Hydraulic Resources

30, rue Alain Savary, 1002, Tunis, Tunisia

Phone: 216 71 786 833

E-mail: : mag@ministeres.tn

Directorate General for Crop Protection and Quality of Agricultural Products (DGPCQPA)

Ministry of Agriculture, Environment and Hydraulic Resources

30, rue Alain Savary, 1002, Tunis, Tunisia

Phone: 216 71 786 833

E-mail: : mag@ministeres.tn

Directorate of Quality and Consumer Protection (DQPC)

Ministry of Commerce

Adresse : 37, av. Keireddine Pacha, 1002 Tunis

Phone : (216) 71 890-070 / 890 337

e-Mail : mcmr@ministeres.tn

Institut National de Normalisation et de Propriété Industrielle (Innorpi)

Standards setting and intellectual property enforcement authority

BP 23 - 1012 Tunis Belvédère

Phone: 216 71 785 922

Fax: 216 71 781 563

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Institut National des Statistiques (INS)

Trade and demographic statistics

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